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COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

June 28, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Dear Administrator Pruitt:

I write to request information on the position of the Environmental Protection Agency's (EPA) Scientific Integrity Official. As explained by one observer, the EPA's Scientific Integrity Official is responsible for "document[ing] science 'incidents' at the agency, and even 'investigat[ing]' science problems—alongside no less than the agency's inspector general."¹ I respectfully ask for your assistance in better understanding the responsibilities, authority, and budget for this position.

In March 2009, President Obama issued a memorandum directing federal agencies to create "scientific integrity" policies.² In February 2012, the EPA published its Scientific Integrity Policy to, among other things, "ensure scientific integrity throughout the EPA and promote scientific and ethical standards."³ The EPA's Policy established a Scientific Integrity Committee, chaired by the Scientific Integrity Official and comprised of Deputy Scientific Officials representing each of the EPA's program offices.⁴

On November 25, 2013, former Administrator Gina McCarthy appointed Dr. Francesca Grifo, formerly of the Union of Concerned Scientists, as the EPA's Scientific Integrity Official.⁵ As chair of the Scientific Integrity Committee, Dr. Grifo is charged with investigating allegations of "scientific misconduct" within the agency.⁶ However, the scope of this authority is limited. The Scientific Integrity Committee's policies require it to refer any matters with legal, ethical, or criminal ramifications to the EPA's Office of Inspector General, the EPA's Ethics Official, or the Office of Special Counsel.⁷

¹ Kimberly A. Strassel, *Anatomy of a Deep State*, The Wall Street Journal (May 25, 2017).

² See Memorandum for the Heads of Executive Departments and Agencies (Mar. 9, 2009).

³ U.S. Env't'l Prot. Agency, Scientific Integrity Policy (2012), available at https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf; see also Memorandum from Bob Perciasepe, Deputy Administrator, U.S. Env't'l Prot. Agency, to all EPA employees (Feb. 16, 2012).

⁴ Scientific Integrity Policy, *supra* note 3, at 10.

⁵ Press Release, U.S. Env't'l Prot. Agency, EPA Appoints New Scientific Integrity Official (Nov. 25, 2013).

⁶ Scientific Integrity Policy, *supra* note 3, at 10.

⁷ U.S. Env't'l Prot. Agency, Scientific Integrity Annual Report—FY 2014 (2015), available at https://www.epa.gov/sites/production/files/2015-04/documents/annual_report_scientific_integrity_2014_final_pages.pdf.

Dr. Grifo is allegedly investigating a complaint brought by the Sierra Club about the scientific integrity of your statements on whether carbon dioxide is a primary cause of global warming.⁸ One observer noted concern about the apparent politicization of the EPA scientific process—specifically the one-sided nature of the EPA’s annual Scientific Integrity stakeholder meeting.⁹ Another commentator similarly wrote that Dr. Grifo had politicized the EPA’s research by “inviting numerous far-left political groups to advise the EPA on its scientific standards.”¹⁰ By these accounts, Dr. Grifo is “a government employee using taxpayer funds to gather political activists on government grounds to plot—let’s not kid ourselves—ways to sabotage the Trump administration.”¹¹

To better understand the role of the EPA’s Scientific Integrity Official, I respectfully request that you please provide the following information and materials:

1. For each fiscal year since fiscal year 2011, please provide budgetary data for the EPA’s Scientific Integrity Committee, including the Scientific Integrity Official, all Deputy Scientific Integrity Officials, and all supporting staff members.
2. Please explain the Scientific Integrity Official’s statutory authority to investigate Senate-confirmed officials.
3. Please explain why the EPA created a position of Scientific Integrity Official rather than authorize an existing senior official to exercise the responsibilities of that position.
4. Please explain how the EPA’s Scientific Integrity Committee is accountable to the Senate-confirmed leadership.

Please provide this information as soon as possible, but no later than 5:00 pm on July 12, 2017.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”¹² Additionally, S. Res. 62 (115th Congress) authorizes the Committee to examine “the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.”¹³

⁸ *Supra* note 1.

⁹ *Id.*

¹⁰ Philip Wegmann, *Exclusive: Far-left green groups invited to advise EPA on scientific integrity*, Wash. Examiner, May 18, 2017.

¹¹ *Supra* note 1.

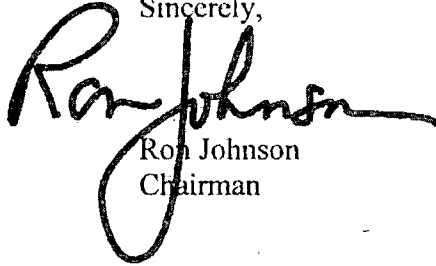
¹² S. Rule XXV(k); *see also* S. Res. 445, 108th Cong. (2004).

¹³ S. Res. 62 § 12, 115th Cong. (2015).

The Honorable Scott Pruitt
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If you have any questions about this request, please ask your staff to contact David Brewer at (202) 224-4751. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Johnson". The signature is fluid and cursive, with a large loop at the end.

Ron Johnson
Chairman

cc: The Honorable Claire McCaskill
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 27 2017

OFFICE OF THE
SCIENCE ADVISOR

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Senator Johnson:

Thank you for your letter dated June 28, 2017, to Administrator Scott Pruitt about the U.S. Environmental Protection Agency's scientific integrity program. You requested information and materials on four topics. I am pleased to provide the agency's response below.

1. Financial and full-time equivalent (FTE) resources expended in the Office of the Science Advisor (OSA) that include and support the Scientific Integrity Official (SIO) are provided below:

	FY 2014/2015	FY 2015/2016	FY 2016/2017	FY 2017/2018
FTE	2.0	2.0	2.0	2.5
Salary	\$304,252.30	\$346,043.34	\$368,879.30	\$327,881.59
Travel	\$4,684.73	\$11,226.43	\$6,502.70	
Extramural	\$2,524.00	\$241,384.36	\$210,720.50	\$204,763.40

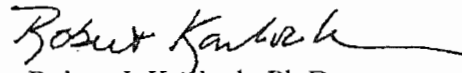
The Scientific Integrity Committee is comprised of Deputy Scientific Integrity Officials (DSIOs) who are typically Deputy Assistant Administrators and Deputy Regional Administrators. These members contribute time to the Committee at no additional cost to the agency.

2. Actions taken in accordance with EPA's Scientific Integrity Policy are authorized under and consistent with existing authorities, including applicable law and regulations, executive orders, and federal and EPA ethics, information, personnel rules, and policies. The EPA's Scientific Integrity Policy applies to all agency employees, including scientists, managers, and political appointees.
3. Since science is the backbone of the agency's decision-making, when setting up its scientific integrity structure, the EPA followed the model already successfully employed within the agency for ensuring compliance with ethics rules and regulations. This model includes a full-time EPA SIO supported by a small staff and DSIOs from across the agency.

4. The EPA's Scientific Integrity Committee consists of DSIOs from across the agency, and is chaired by the SIO. Committee members report to their Assistant Administrators (who are Senate-confirmed) or to their Regional Administrators (who are not Senate-confirmed). The SIO reports to the Director of the Office of the Science Advisor, who reports to the Agency Science Advisor, who has traditionally been the Assistant Administrator for the Office of Research and Development (and who is Senate-confirmed).

Again, thank you for your letter. If you have any questions, please contact me or your staff may contact Christina Moody in EPA's Office of Congressional and Intergovernmental Relations at moody.christina@epa.gov or 202-564-0260.

Sincerely,



Robert J. Kavlock, Ph.D.
EPA Science Advisor

cc: The Honorable Claire McCaskill
Ranking Member